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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/991,766	11/23/2001	Sho Kuwamoto	07844-729001	5315
21876 7590 06/22/2007 FISH & RICHARDSON P.C. P.O. Box 1022 MINNEAPOLIS, MN 55440-1022			EXAMINER RIES, LAURIE ANNE	
			ART UNIT 2176	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/991,766	Applicant(s) KUWAMOTO ET AL.	
	Examiner Laurie Ries	Art Unit 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 April 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9,11-19,29 and 31-58 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 9,11-19,29 and 31-58 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>4/18/07</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: Request for Continued Examination, filed 11 April 2007, to the Original Application filed 23 November 2001.
2. The rejection of claims 9-10, 19-20, and 29-30 under 35 U.S.C. 103(a) as being unpatentable over McClendon (U.S. Patent 6,625,619 B1, claiming priority of U.S. Provisional Application Number 60/190,225), has been withdrawn as necessitated by amendment and newly found prior art.
3. Claims 11-18 and 31-46 remain rejected under 35 U.S.C. 103(a) as being unpatentable over McClendon (U.S. Patent 6,625,619 B1, claiming priority of U.S. Provisional Application Number 60/190,225) in view of Chiang (U.S. Publication 2001/0037490 A1, claiming priority of U.S. Provisional Application Number 60/190364).
4. Claims 9, 11-19, 29, and 31-58 are pending. Applicant has canceled claims 1-8, 10, 20-28, and 30. Applicant has added claims 47-58. Claims 9, 11, 19, 29, 31, and 39 are independent claims.

Information Disclosure Statement

5. The information disclosure statement filed 18 April 2007 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered.

Response to Arguments

6. Applicant's arguments with respect to claims 11-18, 31, and 39, filed 11 April 2007, have been fully considered but they are not persuasive.

Applicant argues that McClendon in combination with Chiang fails to teach that the information related to the file and not contained in the file describes an attribute of the computer code. The Office respectfully disagrees. McClendon teaches that the information contained in the companion or shadow file includes XML code including properties, or attributes, that describe the products listed in the HTML file to which the companion file is associated.

7. Applicant's arguments with respect to claims 9, 19, and 29 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 9, 19, 29, 48, 52, and 54 are rejected under 35 U.S.C. 103(a) as being unpatentable over McClendon (U.S. Patent 6,625,619 B1, claiming priority of U.S. Provisional Application Number 60/190,225), in view of Aitken (U.S. Patent 6,411,970 B1).

As per independent claims 9, 19, and 29, McClendon teaches a method of retrieving a file including HTML data and having a filename including retrieving the file (See McClendon, Column 3, lines 55-67).

McClendon also teaches including a shadow file, or companion file, in an XML format, having a file name that associates it with the original HTML file and containing property set information about the HTML file that is not included within the HTML file (See McClendon, Column 17, lines 64-67).

McClendon does not teach expressly that the shadow or companion file includes the file name of the file, however, since it was generally well known at the time of the invention to name file containing property set data, such as an XML file associated with an HTML file, identically to the file it defines, differing only in the file extension, it would have been obvious to assume that the shadow or companion file includes the file name

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of the HTML file. The motivation for doing so would have been to maintain the association between the HTML file and the XML file that contains property set values pertaining to the HTML file.

McClendon also does not teach expressly accessing a parameter associated with the shadow file to determine that the shadow file is to be displayed.

Aitken teaches accessing a parameter to determine whether the shadow file is to be "hidden", or not displayed (See Aiken, Column 6, lines 37-46, and Figure 3A). It is well known that when the hidden parameter is not checked, the shadow file is displayed.

McClendon and Aiken are analogous art because they are from the same field of endeavor of storing additional information about a file in a separate file.

At the time of the invention it would have been obvious to one of ordinary skill in the art to include the option to hide or display the shadow file of Aiken with the method of retrieving a file of McClendon. The motivation for doing so would have been to allow the user to determine whether or not the properties in the shadow file should be displayed such that they may be viewed, edited, and searched (See Aiken, Column 6, lines 37-47). Therefore, it would have been obvious to combine Aiken with McClendon for the benefit of determining whether or not the properties in the shadow file should be displayed such that they may be viewed, edited, and searched to obtain the invention as specified in claims 9, 19, and 29.

As per dependent claims 48, 52, and 54, McClendon and Aiken teach the limitations of claims 9, 19, and 29 as described above. Aiken also teaches that the parameter is stored in the shadow file (See Aiken, Column 6, lines 37-46). McClendon

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and Aiken are analogous art because they are from the same field of endeavor of storing additional information about a file in a separate file. At the time of the invention it would have been obvious to one of ordinary skill in the art to include the parameter stored within the shadow file of Aiken with the method of retrieving a file of McClendon. The motivation for doing so would have been to manage the various properties of the file such that they may be hidden from the user if necessary, such as to prevent unauthorized access and modification of various properties. Therefore, it would have been obvious to combine Aiken with McClendon and Aiken for the benefit of managing the various properties of the file such that they may be hidden from the user if necessary, such as to prevent unauthorized access and modification of various properties, to obtain the invention as specified in claims 48, 52, and 54.

9. Claims 47, 51, and 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over McClendon (U.S. Patent 6,625,619 B1, claiming priority of U.S. Provisional Application Number 60/190,225), in view of Aitken (U.S. Patent 6,411,970 B1) as applied to claims 9, 19, and 29 above, and further in view of Lakis (U.S. Patent 5,864,865).

As per dependent claims 47, 51, and 53, McClendon and Aiken teach the limitations of claims 9, 19, and 29 as described above. McClendon and Aiken do not teach expressly that the information related to the file and not contained within the file

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includes a key and a corresponding value. Lakis teaches that data may be displayed in a separate window (See Lakis, Abstract). McClendon, Aiken and Lakis are analogous art because they are from the same field of endeavor of presenting electronic information to a user in an organized display format. At the time of the invention it would have been obvious to one of ordinary skill in the art to include the display of information in a separate window, as taught by Lakis, with the information related to a file and not contained within the file, as taught by McClendon and Aiken. The motivation for doing so would have been to display information to the user in an ordered and easily understandable manner (See Lakis, Abstract). Therefore, it would have been obvious to combine Lakis with McClendon and Aiken for the benefit of displaying information to the user in an ordered and easily understandable manner to obtain the invention as specified in claims 47, 51, and 53.

10. Claims 11-18, 31-46, 49, 55, and 57 are rejected under 35 U.S.C. 103(a) as being unpatentable over McClendon (U.S. Patent 6,625,619 B1, claiming priority of U.S. Provisional Application Number 60/190,225) in view of Chiang (U.S. Publication 2001/0037490 A1, claiming priority of U.S. Provisional Application Number 60/190364).

As per independent claim 11, McClendon teaches a system for storing a file and information related to the file and not contained in the file including an editor having an input operatively coupled for receiving information to be contained in the file, the

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editor providing at an output a user interface for receiving the information and for providing the information at the editor output (See McClendon, Column 2, lines 35-44).

McClendon also teaches a shadow file keys/values manager having an input operatively coupled for receiving the information related to the file and not contained in the file, the shadow file keys/values manager providing at an output a user interface for receiving the information related to the file and not contained in the file and for providing at the shadow file keys/values manager output the information related to the file and not contained in the file (See McClendon, Column 12, lines 23-35, and Column 17, lines 64-67).

McClendon also teaches a file builder having an input coupled to the editor output, the file builder building the file responsive to the information received at the file builder input and for storing the file via an output where the information includes computer code, such as XML code (See McClendon, Column 12, lines 23-30 and lines 40-46, and Column 17, lines 64-67).

McClendon also teaches a shadow file builder having an input coupled to the shadow file keys/values manager for receiving the information related to the file and not contained in the file, the shadow file builder building a shadow file responsive to the information related to the file and not contained in the file and for storing in the shadow file, different from the file, via an output (See McClendon, Column 9, lines 7-65).

McClendon also teaches that the information related to the file and not contained in the file describes an attribute of the computer code, such as a property set (See McClendon, Column 17, lines 59-67).

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McClendon does not teach expressly using a web-authoring tool to receive the information. Chiang teaches the use of an HTML editor, which is a web-authoring tool. (See Chiang Provisional Application, Figure 1, and Page 2, lines 4-5).

McClendon and Chiang are analogous art because they are from the same field of endeavor of generating electronic data.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to include the web-authoring tool of Chiang with the information files of McClendon. The motivation for doing so would have been to allow the developer ease of graphical design and high performance. (See Chiang Provisional Application, Page 1, line 20). Therefore, it would have been obvious to combine Chiang with McClendon for the benefit of allowing the developer ease of graphical design and high performance to obtain the invention as specified in claim 11.

As per dependent claim 12, McClendon and Chiang teach the limitations of claim 11 as described above. McClendon also teaches that the information related to the file is stored in the shadow file that contains XML data and therefore uses at least one XML tag (See McClendon, Column 9, lines 60-65).

As per dependent claim 13, McClendon and Chiang teach the limitations of claim 11 as described above. McClendon also teaches that the file includes HTML code or data (See McClendon, Column 6, lines 50-57).

As per dependent claim 14, McClendon and Chiang teach the limitations of claim 11 as described above. McClendon also teaches receiving a request to open the

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file and automatically displaying at least a portion of the information related to the file in the shadow file related to the request (See McClendon, Column 3, lines 8-25).

As per dependent claim 15, McClendon and Chiang teach the limitations of claim 11 as described above. McClendon also teaches receiving a request to move the file to a destination and automatically moving at least a portion of the shadow file to the destination related to the request (See McClendon, Column 16, lines 4-30).

As per dependent claim 16, McClendon and Chiang teach the limitations of claim 11 as described above. McClendon also teaches that the shadow file includes a name corresponding to the name of the file (See McClendon, Column 17, lines 64-67).

As per dependent claim 17, McClendon and Chiang teach the limitations of claim 16 as described above. McClendon also teaches including a shadow file, or companion file, in an XML format, having a file name that associates it with the original HTML file and containing property set information about the HTML file that is not included within the HTML file (See McClendon, Column 17, lines 64-67). McClendon does not teach expressly that the shadow or companion file includes the file name of the file, however, since it was generally well known at the time of the invention to name file containing property set data, such as an XML file associated with an HTML file, identically to the file it defines, differing only in the file extension, it would have been obvious to assume that the shadow or companion file includes the file name of the HTML file. The motivation for doing so would have been to maintain the association between the HTML file and the XML file that contains property set values pertaining to the HTML file.

As per dependent claim 18, McClendon and Chiang teach the limitations of claims 1, 11, and 21 as described above. Chiang also teaches that the web-authoring tool, or HTML editor, includes at least a portion of Adobe GoLive (See Chiang Provisional Application, Figure 1, and Page 2, lines 4-5). McClendon and Chiang are analogous art because they are from the same field of endeavor of generating electronic data. At the time of the invention it would have been obvious to a person of ordinary skill in the art to include Adobe GoLive as the web authoring tool or HTML editor taught by Chiang and McClendon. The motivation for doing so would have been to allow the developer ease of graphical design and high performance. (See Chiang Provisional Application, Page 1, line 20). Therefore, it would have been obvious to combine Chiang with McClendon for the benefit of allowing the developer ease of graphical design and high performance to obtain the invention as specified in claim 18.

As per independent claims 31 and 39, McClendon teaches a method and computer program product including receiving first information to be contained in a first file, the first information including computer source code, such as HTML code (See McClendon, Column 2, lines 35-44).

McClendon also teaches receiving second information characterizing one or more attributes of the computer source code, such as property set information (See McClendon, Column 12, lines 23-35, and Column 17, lines 64-67).

McClendon also teaches storing the first file information but not the second information (See McClendon, Column 17, line 67).

McClendon also teaches storing in a second file, distinct from the first file, the second information (See McClendon, Column 17, lines 65-66).

McClendon does not teach expressly using a web-authoring tool to receive the information. Chiang teaches the use of an HTML editor, which is a web-authoring tool. (See Chiang Provisional Application, Figure 1, and Page 2, lines 4-5). McClendon and Chiang are analogous art because they are from the same field of endeavor of generating electronic data. At the time of the invention it would have been obvious to a person of ordinary skill in the art to include the web-authoring tool of Chiang with the information files of McClendon. The motivation for doing so would have been to allow the developer ease of graphical design and high performance. (See Chiang Provisional Application, Page 1, line 20). Therefore, it would have been obvious to combine Chiang with McClendon for the benefit of allowing the developer ease of graphical design and high performance to obtain the invention as specified in claims 31 and 39.

As per dependent claims 32 and 40, McClendon and Chiang teach the limitations of claims 31 and 39 as described above. McClendon also teaches that the second information is stored in the second file contains XML data which therefore uses at least one XML tag (See McClendon, Column 17, lines 65-66).

As per dependent claims 33 and 41, McClendon and Chiang teach the limitations of claims 31 and 39 as described above. McClendon also teaches that the computer source code includes HTML code (See McClendon, Column 17, line 67).

As per dependent claims 34 and 42, McClendon and Chiang teach the limitations of claims 31 and 39 as described above. McClendon also teaches receiving

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a request to open the first file and automatically displaying at least a portion of the second information responsive to the request (See McClendon, Column 3, lines 8-25).

As per dependent claims 35 and 43, McClendon and Chiang teach the limitations of claims 31 and 39 as described above. McClendon also teaches receiving a request to move the first file to a destination and automatically moving at least a portion of the second file to the destination responsive to the request (See McClendon, Column 16, lines 4-30).

As per dependent claims 36 and 44, McClendon and Chiang teach the limitations of claims 31 and 39 as described above. McClendon also teaches that the second file includes a name corresponding to a name of the first file (See McClendon, Column 17, lines 64-67).

As per dependent claims 37 and 45, McClendon and Chiang teach the limitations of claims 36 and 44 as described above. McClendon also teaches including a shadow file, or companion file, in an XML format, having a file name that associates it with the original HTML file and containing property set information about the HTML file that is not included within the HTML file (See McClendon, Column 17, lines 64-67). McClendon does not teach expressly that the shadow or companion file includes the file name of the file, however, since it was generally well known at the time of the invention to name file containing property set data, such as an XML file associated with an HTML file, identically to the file it defines, differing only in the file extension, it would have been obvious to assume that the shadow or companion file includes the file name of the HTML file. The motivation for doing so would have been to maintain the association

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between the HTML file and the XML file that contains property set values pertaining to the HTML file.

As per dependent claims 38 and 46, McClendon and Chiang teach the limitations of claims 31 and 39 as described above. Chiang also teaches that the web-authoring tool, or HTML editor, includes at least a portion of Adobe GoLive (See Chiang Provisional Application, Figure 1, and Page 2, lines 4-5). McClendon and Chiang are analogous art because they are from the same field of endeavor of generating electronic data. At the time of the invention it would have been obvious to a person of ordinary skill in the art to include Adobe GoLive as the web authoring tool or HTML editor taught by Chiang and McClendon. The motivation for doing so would have been to allow the developer ease of graphical design and high performance. (See Chiang Provisional Application, Page 1, line 20). Therefore, it would have been obvious to combine Chiang with McClendon for the benefit of allowing the developer ease of graphical design and high performance to obtain the invention as specified in claims 38 and 46.

As per dependent claims 49, 55, and 57, McClendon and Chiang teach the limitations of claims 11, 31, and 39 as described above. McClendon also teaches that the information related to the file and not contained within the file includes a key and a corresponding value (See McClendon, Column 12, lines 23-35, and Column 17, lines 64-67).

11. Claims 50, 56, and 58 are rejected under 35 U.S.C. 103(a) as being unpatentable over McClendon (U.S. Patent 6,625,619 B1, claiming priority of U.S. Provisional Application Number 60/190,225) in view of Chiang (U.S. Publication 2001/0037490 A1, claiming priority of U.S. Provisional Application Number 60/190364), as applied to claims 49, 55, and 57 above, and further in view of Aiken (U.S. Patent 6,411,970 B1).

As per dependent claims 50, 56, and 58, McClendon and Chiang teach the limitations of claims 49, 55, and 57 as described above. McClendon and Chiang do not teach expressly that the key is one of author, status and notes. Aiken teaches a group of properties pertaining to a file and included in a shadow file, where the properties include a file author (See Aiken, Column 8, lines 54-57). McClendon, Chiang, and Aiken are analogous art because they are from the same field of endeavor of generating electronic data. At the time of the invention it would have been obvious to one of ordinary skill in the art to include the file author, as taught by Aiken, with the key value, as taught by McClendon and Chiang. The motivation for doing so would have been to allow a user to conduct searches based on the name of the author of a file (See Aiken, Column 6, lines 24-36). Therefore, it would have been obvious to combine Aiken with McClendon and Chiang for the benefit of allowing a user to conduct searches based on the name of the author of a file to obtain the invention as specified in claims 50, 56, and 58.

Conclusion

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laurie Ries whose telephone number is (571) 272-4095. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached at (571) 272-4136.

13. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Laurie Ries
Patent Examiner
Art Unit 2176